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## NOTICE OF ALLOWANCE AND FEE(S) DUE

26212 7590 10/14/2010

FISH & RICHARDSON P.C.  
P.O. BOX 1022  
MINNEAPOLIS, MN 55440-1022

EXAMINER

WORLOH, JALATEE

ART UNIT

PAPER NUMBER

3685

DATE MAILED: 10/14/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/879,267

06/12/2001

L. Garren Du

12587-015001

3522

TITLE OF INVENTION: DIGITAL CONTENT PUBLICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	01/14/2011

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail**

**Mail Stop ISSUE FEE  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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26212 7590 10/14/2010

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,267	06/12/2001	L. Garren Du	12587-015001	3522

TITLE OF INVENTION: DIGITAL CONTENT PUBLICATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	01/14/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
WORJLOH, JALATEE	3685	705-051000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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09/879,267	06/12/2001	L. Garren Du	12587-015001	3522
26212	7590	10/14/2010	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			WORLOH, JALATEE	
			ART UNIT	PAPER NUMBER
			3685	
DATE MAILED: 10/14/2010				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 458 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 458 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability****Application No.**

09/879,267

**Applicant(s)**

DU ET AL.

**Examiner**

Jalatee Worjloh

**Art Unit**

3685

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 7/16/2009.
2. ☒ The allowed claim(s) is/are 1, 4-6, and 56-78.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Jalatee Worjloh/  
Primary Examiner, Art Unit 3685

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marie T. Smyth on September 27, 2010.

The application has been amended as follows:

In the claims:

1. (Currently Amended) A computer-implemented method implemented by a system that includes a content publisher, a digital content manager, a digital content publication server, a digital rights manager, and a content distributor, the method comprising:

obtaining, by the digital content publication server, first data that identifies unprotected digital content ~~which is~~ that has been stored at the digital content manager and ~~which has been~~ that has been selected by the content publisher for distribution or publication;

obtaining, by the digital content publication server, second data from the digital content manager that causes a digital content publication module of the digital content publication server to be invoked;

in response to obtaining the second data from the digital content manager, invoking the digital content publication module by the digital content publication server;

in response to invoking the digital content publication module, receiving the unprotected digital content and metadata associated with the unprotected digital content from the digital content manager by the digital content publication server;

~~providing~~ generating, by the digital content publication server, an interface for display by the content publisher, wherein the interface allows ~~for allowing~~ the content publisher to enter publication information associated with the unprotected digital content;

receiving, by the digital content publication server and from the content publisher, the publication information associated with the unprotected digital using the interface, the publication information comprising distribution information that identifies the content distributor that has been selected to distribute the digital content;

protecting, by the digital content publication server, the unprotected digital content by one or more processors and the digital content publication module, further comprising:

encrypting the unprotected digital content; and

storing the protected digital content in a directory of the digital content publication server without providing the protected digital content to the digital rights manager;

sending, by the digital content publication server, a rights label including the metadata and the publication information to the digital rights manager for registration by the digital rights manager;

obtaining, by the digital content publication server and from the digital rights manager, third data that indicates that the rights label has been registered with the digital rights manager; and

~~providing-transmitting an alert,~~ by the digital content publication server, ~~data~~ to the content distributor, to indicate that the content distributor can retrieve the rights label from the digital rights manager, making the protected digital content available for distribution from the digital content publication server to a customer of the content distributor; ~~and~~

~~providing the protected digital content from the digital content publication server to a customer of the content distributor.~~

60. (Currently Amended) A system comprising:

one or more computers; and

a computer-readable medium coupled to the one or more computers having instructions stored thereon which, when executed by the one or more computers, cause the one or more computers to perform operations comprising:

obtaining, by a digital content publication server, first data that identifies unprotected digital content ~~which is that has been~~ stored at a digital content manager and ~~which has been that has been~~ selected by a content publisher for distribution or publication;

obtaining, by the digital content publication server, second data from the digital content manager that causes a digital content publication module of the digital content publication server to be invoked;

in response to obtaining the second data from the digital content manager, invoking the digital content publication module by the digital content publication server;

in response to invoking the digital content publication module, receiving the unprotected digital content and metadata associated with the unprotected digital content from the digital content manager by the digital content publication server;

~~providing-generating~~, by the digital content publication server, an interface for display by the content publisher, wherein the interface allows for allowing the content publisher to enter publication information associated with the unprotected digital content;

receiving, by the digital content publication server and from the content publisher, the publication information associated with the unprotected digital, using the interface, the publication information comprising distribution information that identifies a content distributor that has been selected to distribute the digital content;

protecting, by the digital content publication server, the unprotected digital content by the digital content publication module, further comprising:

encrypting the unprotected digital content; and

storing the protected digital content in a directory of the digital content publication server without providing the protected digital content to a digital rights manager;

sending, by the digital content publication server, a rights label including the metadata and the publication information to the digital rights manager for registration by the digital rights manager;

obtaining, by the digital content publication server and from the digital rights manager, third data that indicates that the rights label has been registered with the digital rights manager; and

~~providing-transmitting an alert, by the digital content publication server, data to the content distributor, to indicate that the content distributor can retrieve the rights label from the digital rights manager, making the protected digital content available for distribution from the digital content publication server to a customer of the content distributor,; and~~

~~providing the protected digital content from the digital content publication server to a customer of the content distributor.~~

68. (Currently Amended) A computer storage medium encoded with a computer program, the program comprising instructions that when executed by data processing apparatus cause the data processing apparatus to perform operations comprising:

obtaining, by a digital content publication server, first data that identifies unprotected digital content ~~which is that has been~~ stored at a digital content manager and ~~which has been that has been~~ selected by a content publisher for distribution or publication;

obtaining, by the digital content publication server, second data from the digital content manager that causes a digital content publication module of the digital content publication server to be invoked;

in response to obtaining the second data from the digital content manager, invoking the digital content publication module by the digital content publication server;

in response to invoking the digital content publication module, receiving the unprotected digital content and metadata associated with the unprotected digital content from the digital content manager by the digital content publication server;

~~providing generating~~, by the digital content publication server, an interface for display by the content publisher, wherein the interface ~~allows for allowing~~ the content publisher to enter publication information associated with the unprotected digital content;

receiving, by the digital content publication server and from the content publisher, the publication information associated with the unprotected digital content, using the interface, the publication information comprising distribution information that identifies a content distributor that has been selected to distribute the digital content;

protecting, by the digital content publication server, the unprotected digital content by the digital content publication module, further comprising:



encrypting the unprotected digital content; and  
storing the protected digital content in a directory of the digital content  
publication server without providing the protected digital content to a digital rights manager;  
sending, by the digital content publication server, a rights label including the metadata  
and the publication information to the digital rights manager for registration by the digital rights  
manager;  
obtaining, by the digital content publication server and from the digital rights manager,  
third data that indicates that the rights label has been registered with the digital rights manager;  
and  
providing transmitting an alert, by the digital content publication server, data to the  
content distributor, to indicate that the content distributor can retrieve the rights label from the  
digital rights manager, making the protected digital content available for distribution from the  
digital content publication server to a customer of the content distributor; and  
~~— providing the protected digital content from the digital content publication server to a~~  
~~customer of the content distributor.~~

### *Conclusion*

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. Publication No. 2002/0116293 to Lao et al. ("Lao").

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 571-272-6714. The examiner can normally be reached on Monday - Friday 10:00 - 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt II can be reached on 571-272-6709. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300 for regular communications and 571-273-6714 for Non-Official /Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jalatee Worjloh/  
Primary Examiner, Art Unit 3685